

EX PARTE OR LATE FILED

RECEIVED

DEC 31 2002

Federal Communications Commission
Office of SecretaryIB Docket NO: 99-81
IB Docket No: 01-185

ICO

DATE: December 23, 2002**TO:** John Bronscome**FROM:** Larry Williams**RE: ATC Record**

John.

We appreciate your dedication in trying to get **ATC** completed **this** year. We understand the complexity involved **and know** that everyone is putting in a lot **of** overtime to **get** it done. Nonetheless, as you try to finish it up, **we wanted** to make sure you **had** copies of the attached letters that have been **filed** in support of your efforts in this regard. This is only a partial list and we will send you the remainder first thing **next** week.

Thanks again for all your help. Hopefully we **are** almost to the end.

Happy Holidays,

Larry

*Blair*No. of Copies rec'd
List ABOVENo. of Copies rec'd
List ABOVE

JOHN MCCAIN, ARIZONA, CHAIRMAN

TED STEVENS, ALASKA
 CONRAD BURNS, MONTANA
 TRENT LOTT, MISSISSIPPI
 KAY BAILEY HUTCHISON, TEXAS
 OLYMPIA J. SNOWE, MAINE
 SAM BROWNBACK, KANSAS
 GORDON SMITH, OREGON
 PETER C. FITZGERALD, ILLINOIS
 JOHN ENSIGN, NEVADA
 GEORGE ALLEN, VIRGINIA

ERNEST F. HOLLINGS, SOUTH CAROLINA
 DANIEL K. INOUE, HAWAII
 JOHN D. ROCKEFELLER IV, WEST VIRGINIA
 JOHN F. KERRY, MASSACHUSETTS
 JOHN B. BREAU, LOUISIANA
 BYRON L. DORGAN, NORTH DAKOTA
 RON WYDEN, OREGON
 MAX CLELAND, GEORGIA
 BARBARA BOXER, CALIFORNIA
 JOHN EDWARDS, NORTH CAROLINA
 JEAN CARNAHAN, MISSOURI

MARK BUSE, STAFF DIRECTOR
 KEVIN D. KATES, DEMOCRATIC STAFF DIRECTOR

United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
 AND TRANSPORTATION

WASHINGTON, DC 20510-6125

April 24, 2001

RECEIVED

DEC 31 2002

Federal Communications Commission
 Office of Secretary

The Honorable Michael K. Powell
 Chairman
 Federal Communications Commission
 445 12th Street, S.W.
 Washington, D.C. 20554

Re: IB Docket No 99-81 (2 GHz MMS Service Rules)

Dear **Chairman** Powell:

Rural Americans throughout the country, including **many** of our constituents, **are still** awaiting the introduction of broadband services. The Commission, recognizing **this** problem, **has** allocated spectrum **in** the 2 GHz band for Mobile Satellite Service ("MSS") **and** is currently **working** towards issuing licenses to the first set of applicants. *The* successful operation of MSS systems **will** bring to unserved and **underserved** areas, the **same** advanced communications capabilities available to urban users and will enhance the capabilities of public **safety** and military personnel.

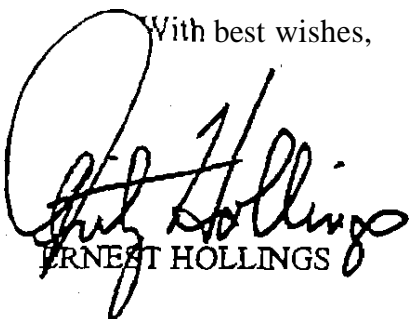
It has come **to our** attention that **the** Commission **has** been **asked to authorize** ancillary terrestrial **use as a** complement to 2 GHz MSS. **It is our understanding** that it may be necessary to provide 2 GHz MSS operators with the flexibility to engage in **ancillary** terrestrial service in order to ensure the financial viability and the efficient **use of 2 GHz spectrum** by MSS operators - a concept the Commission **has** endorsed previously with respect to other satellite service. Two GHz MSS operators will not be able to attract the billions of dollars in **financial** capital necessary to build and launch their systems without the ability to maximize their spectrum efficiency through **an** ancillary terrestrial component. Therefore, ancillary terrestrial service will enhance the ability of MSS operators to serve customers by improving the economics of MSS. **This** proposal does not require allocation of additional spectrum or **sharing among** different licensees. Additionally, terrestrial service **would** be allowed only **after** commercial operation of the satellite service and in a manner consistent with prior Commission decisions on combined **use** systems.

MSS systems have the unique ability to accomplish a host of public policy goals. If permitted to provide ancillary terrestrial service, **2 GHz MSS** operators will be able to provide ubiquitous global connectivity. Since millions of Americans who live in **rural** areas **currently** have no mobile voice or data service, an MSS network will be their best, if not their only choice for fast digital connections. **In** addition, military, **maritime**, recreational, and public safety users

will benefit ~~from~~ MSS coverage of rural areas. In the **case** of a natural disaster *or* other crisis, MSS may provide the only communications **link** for military, maritime, ~~and~~ public safety personnel, and recreational users.

If the 2 GHz MSS service is *to* succeed, the Commission must decide the issue as quickly as possible, because applicants cannot begin in earnest to raise the enormous sums necessary to design, build, and deploy *their* systems when they **do** not yet have licenses and key aspects of the **service** rules remain under reconsideration. Further ~~delay~~ may be tantamount to **denial**. Therefore, we urge you to move as quickly as possible to decide the request to add ~~an~~ ancillary terrestrial component to 2 GHz MSS service.

With best wishes,



ERNEST HOLLINGS

Sincerely,



TED STEVENS



JOHN D. ROCKEFELLER IV



BYRON L. DORGAN